EXHIBIT 10

Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 13 of 23
Gmail - notice of copyright infringement (Canada Copyright Act) https://mail.google.com/mail/u/1/?ui=2&ik=9095a0cc87&view...



Foodvacation Canada <foodvacation@gmail.com>

notice of copyright infringement (Canada Copyright Act)

foodvacation Canada <foodvacation@gmail.com>
To: copyright@amazon.com

Sat, Jan 9, 2016 at 6:43 PM

To: Amazon Web Services

This is a Notice of claimed infringement under the Copyright Act of Canada, which states:

Notice of claimed infringement

- 41.25 (1) An owner of the copyright in a work or other subject-matter may send a notice of claimed infringement to a person who provides
 - (a) the means, in the course of providing services related to the operation of the Internet or another digital network, of telecommunication through which the electronic location that is the subject of the claim of infringement is connected to the Internet or another digital network;
 - (b) for the purpose set out in subsection 31.1(4), the digital memory that is used for the electronic location to which the claim of infringement relates; or
 - o (c) an information location tool as defined in subsection 41.27(5)

On information and belief, Amazon Web Services hosts slabbed.org. Amazon Web Services also does business in Canada.

I am the owner of the photographic work located at: http://slabbed.org/wp-content/uploads/2011/09/leary-perret1.jpg. This work is registered with the Canada Intellectual Property Office.

I have a judgment from Nova Scotia Supreme Court declaring its ownership of the work, and that the use on slabbed.org is infringing, slabbed.org serially infringes copyrighted works. The U.S. District Court for the Southern District of Mississippi has just found that slabbed.org has hosted another copyrighted work without permission. That court found that the publisher of slabbed.org, Douglas Handshoe, "posted the image without permission of the copyright owner or his agent." That court dismissed Mr. Handshoe's lawsuit against the copyright owner's agent for misrepresentation under 17 USC 512(f) with prejudice, stating the court "does not find that Plaintiff has sufficiently pleaded a misrepresentation under § 512(f)."

The use of this image at the two URLs indicated above is not authorized by me, the copyright owner, or the law; under penalty of perjury the above information is true and I am the copyright owner.

Below is my electronic signature.

Charles Leary, Secretary, Trout Point Lodge, Limited 189 Trout Point Road E. Kemptville, NS B5A 5X9 902-482-8360 troutpoint@foodyacation.com Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 14 of 23 Gmail - Your Amazon.com Inquiry https://mail.google.com/mail/u/1/?ui=2&ik=9095a0cc87&vicw...



Foodvacation Canada <foodvacation@gmail.com>

Your Amazon.com Inquiry

copyright@amazon.com <copyright@amazon.com> Mon, Jan 11, 2016 at 12:34 PM Reply-To: "copyright+AVRSORFYJQGT4@amazon.com" <copyright+AVRSORFYJQGT4@amazon.com> To: "foodvacation@gmail.com" <foodvacation@gmail.com>

Hello.

We respect the intellectual property of others and require that sellers posting on our site do the same. If you believe that an item offered on our site violates your intellectual property rights, please submit your complaint using our online form (https://www.amazon.com/gp/help/reports/infringement).

Thank you for your interest in Amazon,com.

Regards, Copyright Team Amazon.com http://www.amazon.com

From: foodvacation@gmail.com

Sent: Saturday, January 9, 2016 9:43 AM (PST)

Subject: notice of copyright infringement (Canada Copyright Act)

To: Amazon Web Services

This is a Notice of claimed infringement under the Copyright Act of Canada, which states:

Notice of claimed infringement

41.25 (1) An owner of the copyright in a work or other subject-matter may send a notice of claimed infringement to a person who provides

(a) the means, in the course of providing services related to the operation of the internet or another digital network, of telecommunication

through which the electronic location that is the subject of the claim of infringement is connected to the Internet or another digital network;

 (b) for the purpose set out in subsection 31.1(4); the digital memory that is used for the electronic location to which the claim of infringement relates; or Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 15 of 23 https://mail.google.com/mail/u/1/?ui=2&ik=9095a0cc87&view...

(c) an information location tool as defined in subsection 41.27(5)

On information and belief, Amazon Web Services hosts slabbed.org. Amazon Web Services also does business in Canada.

I am the owner of the photographic work located at:
*http://www.slabbed.org/wp-content/uploads/2011/09/leary-perret.jpg?w=300

<http://www.slabbed.org/wp-content/uploads/2011/09/leary-perret.jpg?w=300>* and
http://slabbed.org/wp-content/uploads/2011/09/leary-perret1.jpg. This work
is registered with the Canada Intellectual Property Office.

I have a judgment from Nova Scotia Supreme Court declaring its ownership of the work, and that the use on slabbed.org is infringing, slabbed.org serially infringes copyrighted works. The U.S. District Court for the Southern District of Mississippi has just found that slabbed.org has hosted another copyrighted work without permission. That court found that the publisher of slabbed.org, Douglas Handshoe, "posted the image without permission of the copyright owner or his agent." That court dismissed Mr. Handshoe's lawsuit against the copyright owner's agent for misrepresentation under 17 USC 512(f) with prejudice, stating the court "does not find that Plaintiff has sufficiently pleaded a misrepresentation under § 512(f)."

The use of this image at the two URLs indicated above is not authorized by me, the copyright owner, or the law; under penalty of perjury the above information is true and I am the copyright owner.

Below is my electronic signature.

Charles Leary, Secretary, Trout Point Lodge, Limited 189 Trout Point Road
E. Kemptville, NS B5A 5X9
902-482-8360
troutpoint@foodvacation.com

Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 16 of 23 https://mail.google.com/mail/u/1/?ui=2&lk=9095a0cc87&view...



Foodvacation Canada <foodvacation@gmail.com>

RE: copy of court orders

7 messages

Amazon.com Copyright Agent <copyright@amazon.com>
Reply-To: copyright+AF3KPIPBYRCVB@amazon.com
To: foodvacation@gmail.com

Tue, Jan 26, 2016 at 10:22 PM

Dear Trout Point Lodge,

Thank you for your email. This matter has already been reported under a separate matter and assigned Amazon EC2 Abuse Report 17352696474. The content at issue has been removed and a valid DMCA counter notice obtained and forwarded along. As the matter at hand has been remanded to the trial court for further consideration, no current judgment on the matter has been made. Please feel free to resubmit the issue if, and when, a ruling in your favor has been obtained.

Regards,

Chad Bundy

Copyright/Trademark Agent Amazon.com

---- Original message: ----

AWS hosts slabbed.org

Source IPs: 54.200.139.248

Abuse Time: 2016-01-18 21:42:00.0

This blog is publishing defamatory material in violation of a Court Order from the Supreme Court of Nova Scotia containing both mandatory and permanent injunctions (see attached Court Order).

in addition, the Louisiana Fifth Circuit Court of Appeal has found that the blog has published a pomographic drawing involving a minor child (see attached court decision).

This user publishes material in violation of the AWS Terms of Service, and you have already been put on notice of continuing infringing publication of copyrighted materials.

Legal Department
Trout Point Lodge, Limited

foodvacation Canada <foodvacation@gmail.com>
To: copyright+AF3KPIPBYRCVB@amazon.com

Tue, Jan 26, 2016 at 10:56 PM

Dear Chad:

Thank you for your email.

Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 17 of 23 https://mail.google.com/mail/u/1/?ui=2&ik=9095a0cc87&view...

There are multiple instances of infringement, each of which has been separately reported to Amazon with notices of claimed infringement. We have yet to receive any response to all but one notice.

Some information contained in your email is incorrect, as, first, most infringing content has not been removed and is readily accessible; and, second, we have a final judgment from Nova Scotia Supreme Court regarding copyright infringement and defamation. If the client of AWS has told you the material is inaccessible, this is incorrect. DMCA protections for service providers do not have effect in Canada, and in addition, AWS has falled to provide a timely response to notices if one were to use the DMCA's provisions. Copyright, as I'm sure you are aware, is also the subject of international agreement and treaties between the United States and Canada.

After we informed you that content was accessible at http://slabbed.org/wp-content/uploads/2012 /01/DMCA_SUSPENSE/ that content has temporarily been removed from that location. However, multiple instances of other material infringing registered copyrights still exists on your servers. If you need me to re-send notifications, please let me know. Amazon's response to these has thus far been non existent.

The Issue of the distinct engoing defamation case in Louisiana relating to slabbed.org and Douglas Handshoe was brought to your attention so that Amazon would know exactly who and what type of blog you are hosting. There is significant fact finding in the decision of the 5th Circuit Court of Appeal, and under Louisiana's anti-SLAPP legislation, fact finding on special motions to strike is binding with respect to future litigation. You can consult La. CCP Art. 971 and relevant case law. The finding regarding "pornography" being distributed on Slabbed was made by that Court sue sponte.

In our case, an injunction order issued by Nova Scotia Supreme Court is in existence, and binding, unless AWS has stopped doing business in Canada and Nova Scotia, and slabbbed.org is not being downloaded in Nova Scotia or Canada from your servers. From what we can tell, AWS does significant business and has operations in Canada.

We will pursue legal redress, including avenues provided by NAFTA, the Berne Convention, and action in Canadian courts, but have no desire to resort to costly litigation. We have in a reasonable and detailed fashion made Amazon and AWS aware of materials infringing copyright on your servers, as well as the existence of valid injunctions relating to the slabbed blog and Douglas Handshoe. We have provided a copy of the Court Order. The decision regarding copyright infringement is attached. We expect an adequate response from Amazon, and a resolution to this matter.

I would be	B						
ם תוחוות אם	DODDY IO	nthvine	2011	anniiinnai	mane	WEST TITLESSIE	TIMMET.

Sincerely,

Charles Leary
Trout Point Lodge, Limited

[Quoted text hidden]

Trout Point Lodge Ltd v. Handshoe (2014 NSSC 62).pdf 626K

foodvacation Canada <foodvacation@gmail.com>
To: aws-abuseteam@amazon.com

Tue, Jan 26, 2016 at 11:29 PM

Re: DMCA Case 17352696474 [Quoted text hidden]

Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 18 of 23
Gmail - RE: copy of court orders https://mail.google.com/mail/u/1/?ui=2&ik=9095a0cc87&view...

Trout Point Lodge Ltd v. Handshoe (2014 NSSC 62).pdf 626K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: foodvacation@gmail.com

Tue, Jan 26, 2016 at 11:29 PM

Delivery to the following recipient failed permanently:

aws-abuseteam@amazon.com

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the server for the recipient domain amazon.com by amazon-smtp.amazon.com, [207.171.184.29].

The error that the other server returned was: 550 #5.1.0 Address rejected.

---- Original message -----

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;

d=gmail.com; s=20120113;

h=mime-version:in-reply-to:references:date:message-id:subject:from:to

:content-type:

bh=wm2LlhLOakRIVWbUMvBtGNA5SM44VPAsQiVigsynv7M=:

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MGdg==

X-Google-DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;

d=1e100.net; s=20130820;

h=x-gm-message-state:mime-version:in-reply-to:references:date

:message-id:subject:from:to:content-type;

bh=wm2LihLOakRiVWbUMvBtGNA5SM44VPAsQiVigsyny7M=;

b=LnP/Nik7k2iojOil4nbEYNZIoLxVppL8rbJx1XvB1/jEDlijlx87WKD/mNYQ0q4YEK

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x/AQvItPtXRinqG3pZGwMVRO8XCY0FkRYvc1x814goCZz83KRDwnqqrgRgyLggHSG553

A5XQ==

X-Gm-Message-State: AG10YOQjNkXqRREeJ6N3YN20mWGti6AnQVFrEj9FMw5790rNckA4DbgMc5EPcJK2RpnfB5pdLj/CkeLSali/nw==

MIME-Version: 1.0

X-Received: by 10.50.112.234 with SMTP id it10mr4046400igb.14.1453847393713;

Tue, 26 Jan 2016 14:29:53 -0800 (PST)

Received: by 10.79.25.9 with HTTP; Tue, 26 Jan 2016 14:29:53 -0800 (PST)

In-Reply-To: <CAM3OQg=34pt8YOQbBrBGGmR07w4L8Oxvp_PERapd7SC-1h7=QQ@mail.gmail.com>

References: <000001527fd13063-75ce0ff0-49fc-473c-a458-6ab83cafca41-000000@email.amazonses.com>

<CAM3OQg=34pt8YOQbBrBGGmR07w4L8Oxvp_PERapd7SC-1h7=QQ@mail.gmall.com>

Date: Tue, 26 Jan 2016 23:29:53 +0100

Message-ID: <CAM3OQgnZj1+=i_gHhnsE=FbDrbnZe-yP8uSbBbeuSESgiW6bpQ@mail.gmail.com>

Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 19 of 23 https://mail.google.com/mail/u/1/?ui=2&ik=9095a0cc87&view...

Subject: Fwd: copy of court orders From: foodvacation Canada <foodvacation@gmail.com> To: aws-abuseteam@amazon.com Content-Type: multipart/mixed; boundary=089e01184bf4769f5b052a4439f3 [Quoted text hidden] ---- Message truncated --foodvacation Canada <foodvacation@gmail.com> Tue, Jan 26, 2016 at 11:31 PM To: aws-abuseleam@amazon.com Forwarded message -From: foodvacation Canada <foodvacation@gmail.com> [Quoted text-hidden] Trout Point Lodge Ltd v. Handshoe (2014 NSSC 62).pdf Tue, Jan 26, 2016 at 11:31 PM Mail Delivery Subsystem <mailer-daemon@googlemail.com> To: foodvacation@gmail.com Delivery to the following recipient falled permanently: aws-abuseteam@amazon.com Technical details of permanent failure: Google tried to deliver your message, but it was rejected by the server for the recipient domain amazon.com by amazon-smtp.amazon.com. [52.95.49.90]. The error that the other server returned was: 550 #5.1.0 Address rejected. ---- Original message ----DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=gmail.com: s=20120113: h=mime-version:in-reply-to:references:date:message-id:subject:from:to :content-type: bh=BiFzifF81c6t0l1xZFtwSkFBig5cSKWolgkQC9DtZbU=; b=RrwOkgV8I1ZWeXgzdioogaygodaeRxw/29FENihwvZIU2f8+m0dTHs6265ycgiDF8i ehO2YIM5ukqPDFsG+yQ7hcCbkeLA8PDb5oAK2L6/owqJ8WWr27JZNDgTW+PXAN7PQpHI dXQk5ybeaMO7KZoJEIzL4t3A/xl3oH4S2m/6tkusV1tOpV+l3+7tWlXdk00v8tOxLFUx Q7KZYFCDpdFlHZnHEDU7aVv8tyZQVmDq+JKzSwuYOq0ztnBeKTEEcCbvbEkyUPBdz+zU aJwBz4lehuduTewZtY+7KwDGpOGytwJuR+BOedFwBUkcvRqOQp05Rn4XSoPs1L09y80x X-Google-DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=1e100.net; s=20130820; h=x-gm-message-state:mime-version:in-reply-to:references:date :message-id:subject:from:to:content-type; bh=BiFzlfF81c6t0i1xZFtwSkFBiq5cSKWolqkQC9DtZbU=;

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b=ijP0T+8EQqE9EeyNl4LvX4Ds4uQ1GGappWK8w/clBQPZvA4fp7WYG1h6WhblsZDJU6
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WStQ==

X-Gm-Message-State: AG10YOSTluCZ2ylayrOUjdbLYDyqZLCq/LWs45Bib+9gMCynL2l4yKngLSKwuk0aGM+RsyNbwRnGNj6Lm6f0ZA==

MIME-Version: 1.0

X-Received: by 10.50.171.130 with SMTP id au2mr26424064igc.43.1453847485172;

Tue, 26 Jan 2016 14:31:05 -0800 (PST)

Received: by 10.79.25.9 with HTTP; Tue, 26 Jan 2016 14:31:04 -0800 (PST)

In-Reply-To: <CAM3CQgnZj1+=i_gHhnsE=FbDrbnZe-yP8uSbBbeuSESgjW6bpQ@mail.gmail.com>

References: <000001527fd13063-75ce0ff0-49fc-473c-a458-6ab83cafca41-000000@email.amazonses.com>

<CAM3OQg=34pt8YOQbBrBGGmR07w4L8Oxvp_PERapd7SC-1h7=QQ@mail.gmail.com><CAM3OQgnZj1+=i_gHhnsE=FbDrbnZe-yP8uSbBbeuSESgjW6bpQ@mail.gmail.com>

Date: Tue, 26 Jan 2016 23:31:04 +0100

Message-ID: <CAM3OQgkiZQW8QeN8AW09keWWY8m5CQg_q9nY-EVFZ-t8=dyT=A@mail.gmail.com>

Subject: Fwd: copy of court orders

From: foodvacation Canada <foodvacation@gmail.com>

To: aws-abuseteam@amazon.com

Content-Type: multipart/mixed; boundary=047d7b6da60eb8f1d6052a443d88

[Quoted text hidden]

---- Message truncated -----

Amazon.com Copyright Agent <copyright@amazon.com>
Reply-To: copyright+A3PGH2LCVV6K3J@amazon.com
To: foodvacation@gmail.com

Wed, Jan 27, 2016 at 8:30 PM

Dear Charles,

Thank you for your reply. As there have been numerous emails from you from multiple email addresses, if you could please provide a comprehensive list of the URLs you claim to be infringing we will move to action those not already processed. Please provide the comprehensive list in proper DMCA format which requires the inclusion of the following:

- * A description of the copyrighted work that you claim has been infringed upon;
- * A description of where the material that you claim is infringing is located on the Site;
- * Your address, telephone number, and e-mail address;
- * A statement by you that you have a good-faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law;
- * A statement by you, made under penalty of perjury, that the above information in your notice is accurate and that you are the copyright owner or authorized to act on the copyright owner's behalf.

The following content has already been received and processed under the DMCA for which we received the previously provided counter notice:

http://slabbed.org/2012/12/04/wash-rinse-repeat-aaron-broussards-former-property-managers-in-canada-again-sue-slabbed-for-defamation-in-nova-scotia/ http://slabbed.org/wp-content/uploads/2012/01/trout-point-lodge-350x198.jpg%2C

http://slabbed.org/wp-content/uploads/2012/01/trout-point-lodge-300x199.jpg%2C

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http://slabbed.org/wp-content/uploads/2012/01/trout-point-lodge.jpg

With regard to the above content, we will allow this material to be accessible 10 business days after the counter notice was provided to you, unless you provide us with notice that a copyright infringement lawsuit relating to the identified content has been filed against our customer.

As you noted, it does appear that the content referenced at: http://slabbed.org/wp-content/uploads/2012 /01/DMCA_SUSPENSE/ is no longer accessible.

With regard to your claims of defamation, as previously noted, if and when a judgment or settlement in your favor has been obtained in your pending litigation in Louisiana, please provide and we will take appropriate action.

Kindest Regards,

Chad Bundy

Copyright/Trademark Agent Amazon.com

--- Original message: ---

Dear Chad:

Thank you for your email.

There are multiple instances of infringement, each of which has been separately reported to Amazon with notices of claimed infringement. We have yet to receive any response to all but one notice.

Some information contained in your email is incorrect, as, first, most infringing content has not been removed and is readily accessible; and, second, we have a final judgment from Nova Scotla Supreme Court regarding copyright infringement and defamation. If the client of AWS has told you the material is inaccessible, this is incorrect. DMCA protections for service providers do not have effect in Canada, and in addition, AWS has failed to provide a timely response to notices if one were to use the DMCA's provisions. Copyright, as I'm sure you are aware, is also the subject of international agreement and treaties between the United States and Canada.

After we informed you that content was accessible at http://slabbed.org/wp-content/uploads/2012/01//DMCA_SUSPENSE/ that content has temporarily been removed from that location. However, multiple instances of other material infringing registered copyrights still exists on your servers. If you need me to re-send notifications, please let me know. Amazon's response to these has thus far been non existent.

The issue of the distinct engoing defamation case in Louisiana relating to slabbed org and Douglas Handshoe was brought to your attention so that Amazon would know exactly who and what type of blog you are hosting. There is significant fact finding in the decision of the 5th Circuit Court of Appeal, and under Louisiana's anti-SLAPP legislation, fact finding on special motions to strike is binding with respect to future litigation. You can consult La. CCP Art. 971 and relevant case law. The finding regarding

6 of 8 2017-02-08, 5:40 PM

Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 22 of 23
Gmail - RE: copy of court orders https://mail.google.com/mail/u/1/7ui=2&ik=9095a0cc87&view...

"pornography" being distributed on Slabbed was made by that Court *sua sponle*.

In our case, an injunction order issued by Nova Scotia Supreme Court is in existence, and binding, unless AWS has stopped doing business in Canada and Nova Scotia, and slabbbed org is not being downloaded in Nova Scotia or Canada from your servers. From what we can tell, AWS does significant business and has operations in Canada.

We will pursue legal redress, including avenues provided by NAFTA, the Berne Convention, and action in Canadian courts, but have no desire to resort to costly litigation. We have in a reasonable and detailed fashion made Amazon and AWS aware of materials infringing copyright on your servers, as well as the existence of valid injunctions relating to the slabbed blog and Douglas Handshoe. We have provided a copy of the Court Order. The decision regarding copyright infringement is attached. We expect an adequate response from Amazon, and a resolution to this matter.

I would be happy to provide any additional facts you might need.

Sincerely,

Charles Leary Trout Point Lodge, Limited

On Tue, Jan 26, 2016 at 10:22 PM, Amazon.com Copyright Agent ⁢ copyright@amazon.com> wrote:

> Dear Trout Point Lodge,

>

agt; Thank you for your email. This matter has already been reported under a agt; separate matter and assigned Amazon EC2 Abuse Report 17352696474. The

&ot; content at issue has been removed and a valid DMCA counter notice obtained

> and forwarded along. As the matter at hand has been remanded to the trial

> court for further consideration, no current judgment on the matter has been

> made. Please feel free to resubmit the issue if, and when, a ruling in

> your favor has been obtained.

>

> Regards,

>

> Chad Bundy

>

> Copyright/Trademark Agent

> Amazon.com

>

> --- Original message: ----

>

> AWS hosts slabbed.org

>

> Source IPs: 54.200.139.248

> Abuse Time: 2016-01-18 21:42:00.0

>

> This blog is publishing defamatory material in violation of a Court Order

Case 1:15-cv-00382-HSO-JCG Document 96-11 Filed 02/15/17 Page 23 of 23 https://mail.google.com/mail/u/1/?vi=2&ik=9095n0cc87&view...

> from the Supreme Court of Nova Scotla containing both mandatory and

> permanent injunctions (see attached Court Order).

>

> In addition, the Louisiana Fifth Circuit Court of Appeal has found that the

> blog has published a pomographic drawing involving a minor child (see

> attached court decision).

>

> This user publishes material in violation of the AWS Terms of Service, and

> you have already been put on notice of continuing infringing publication of

> copyrighted materials.

>

> Legal Department

> Trout Point Lodge, Limited

>